

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In Re:

Vivian Beatrice Holman

Case No. 24-30271-KLP

Debtor

Chapter 13

NOTICE OF MOTION

Vivian Beatrice Holman, by Counsel, has filed documents with the court to reopen this Chapter 13 Bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then within 14 days from the date of service of this motion, you or your attorney must:

File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, VA 23219-1888

You must also mail a copy to:

Genene E. Gardner
The Merna Law Group, P.C.
621 N. Lynnhaven Road
Virginia Beach, VA 23452

Genene E. Gardner, Esq. VSB#72258
The Merna Law Group, P.C.
621 N. Lynnhaven Road
Virginia Beach, VA 23452
Telephone: (757) 340-4895
Facsimile: (757) 340-4894
E-mail: ggardner@mernalaw.com

Carl M. Bates
Chapter 13 Trustee
PO Box 1819
Richmond, VA 23218

Vivian Beatrice Holman
1415 Waldrop Road
Amelia Court House, VA 23002

() Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. If no timely response has been filed opposing relief requested, the court may grant the relief without holding a hearing.

(X) Attend the hearing on the motion (or objection) scheduled to be held on **June 12, 2024 at 9:30 a.m. in Judge Phillips' Courtroom, 701 E. Broad Street, Room 5100, Richmond, VA**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: May 6, 2024

Signature, name, address and telephone number of person giving notice:

/s/ Genene E. Gardner
Genene E. Gardner, VSB#72258
621 N. Lynnhaven Road
Virginia Beach, VA 23452
(757) 340-4895
Attorney for Debtor

Genene E. Gardner, Esq. VSB#72258
The Merna Law Group, P.C.
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Virginia Beach, VA 23452
Telephone: (757) 340-4895
Facsimile: (757) 340-4894
E-mail: ggardner@mernalaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice was transmitted electronically or sent by regular mail this 6th day of May 2024 to Carl M. Bates, Chapter 13 Trustee, PO Box 1819, Richmond, VA 23218; Vivian Beatrice Holman, 1415 Waldrop Road, Amelia Court House, VA 23002; to all other parties of interest as listed on the attached creditor matrix, and by certified mail to the FDIC creditors listed below.

/s/ Genene E. Gardner
Attorney for Debtor

Comenity Bank
Ron Ostler, President
One Righter Parkway, Suite 100
Wilmington, DE 19803

Credit One Bank, NA
Robert DeJong, CEO
585 Pilot Road
Las Vegas, NV 89119

Republic Finance Llc
CT Corporation System
4701 Cox Road, Ste 285
Glen Allen, VA 23060-6808

Rushmore Loan Management Servi
Corporation Service Company
100 Shockoe Slip Fl 2
Richmond, VA 23219-4100

Virginia Credit Union *
c/o Christopher M. Shockley
7500 Boulders View Drive
Richmond, VA 23225-0000

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**UNITED STATES BANKRUPTCY COURT
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In Re:

Vivian Beatrice Holman

Case No. 24-30271-KLP

Debtor

Chapter 13

MOTION TO REOPEN CHAPTER 13 BANKRUPTCY

NOW COMES the Debtor, Vivian Beatrice Holeman, by counsel, and moves the Court for good cause shown to reopen the above-styled case for reasons as set forth:

1. That the Debtor filed a Chapter 13 Bankruptcy on January 24, 2024.
2. That on March 20, 2024, an Order Denying Confirmation was entered by the Court ordering that an Amended/Modified Plan be filed within 21 days of entry of the order.
3. That on April 13, 2024 the Debtor's case was dismissed for failure to comply with the Order Denying Confirmation.
4. That the Debtor's counsel failed to timely file an Amended/Modified plan.
5. That the Debtor has signed the Amended/Modified plan and it will be filed with this Motion.
6. That the Debtor has the funds to bring the Chapter 13 plan current.
7. That the inability to rectify this oversight and gain a discharge in this Chapter 13 will

impose an undue hardship on the Debtors.

WHEREFORE, the Debtor prays for entry of an Order Reopening this Chapter 13 Bankruptcy Case to allow the Debtor to continue in the administration of this case.

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Virginia Beach, VA 23452
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E-mail: ggardner@mernalaw.com

Respectfully Submitted,

Vivian Beatrice Holman

By /s/ Genene E. Gardner
Attorney for Debtors

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Rushmore Loan Management Servi
Corporation Service Company
100 Shockoe Slip Fl 2
Richmond, VA 23219-4100

Virginia Credit Union *
c/o Christopher M. Shockley
7500 Boulders View Drive
Richmond, VA 23225-0000

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Virginia Beach, VA 23452
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E-mail: ggardner@mernalaw.com

Label Matrix for local noticing

United States Bankruptcy Court

Document Page 6 of 7

AmSher Collection Services

0422-3

701 East Broad Street

4524 Southlake Parkway

Case 24-30271-KLP

Richmond, VA 23219-1888

Suite 15

Eastern District of Virginia

Birmingham, AL 35244-3271

Richmond

Mon May 6 14:00:31 EDT 2024

Amelia General District Court

(p)BLEECKER BRODEY AND ANDREWS

Capital Community Bank

16419 Court St

9247 N MERIDIAN ST STE 101

1909 West State Street

Amelia Court House, VA 23002-4870

INDIANAPOLIS IN 46260-1813

Pleasant Grove, UT 84062-4099

Credit One Bank*

Dish Network

LVNV Funding, LLC

Attn: Bankruptcy Department

P.O. Box 7203

Resurgent Capital Services

Po Box 98873

Pasadena, CA 91109-7303

PO Box 10587

Las Vegas, NV 89193-8873

Greenville, SC 29603-0587

Legacy Mortgage Asset Trust 2018-RPL2

Lvnv Funding/Resurgent Capital

NCB Management Services

c/o Rushmore Servicing

Attn: Bankruptcy

Attn: Bankruptcy

PO Box 619096

Po Box 10497

1 Allied Drive

Dallas TX 75261-9096

Greenville, SC 29603-0497

Trevose, PA 19053-6945

NetCredit

Real Time Resolutions

Real Time Resolutions, Inc.

Attn: Bankruptcy

Attn: Bankruptcy

1349 Empire Central Drive, Suite #1

175 W. Jackson Blvd, Ste 1000

P.O. Box 36655

Dallas, Texas 75247-4029

Chicago, IL 60604-2863

Dallas, TX 75235-1655

(p)REPUBLIC FINANCE LLC

Richmond General District Ct

Rushmore Loan Management Servi

282 TOWER RD

John Marshall Courts Bldg

PO Box 514707

PONCHATOULA LA 70454-8318

400 N. 9th St., Rm 203

Los Angeles, CA 90051-4707

Richmond, VA 23219-1540

Virginia Credit Union

Virginia Credit Union *

Virginia Credit Union, Inc.

Attn: Bankruptcy

c/o Christopher M. Shockley

PO Box 90010

Po Box 90010

7500 Boulders View Drive

Richmond, VA 23225-9010

Richmond, VA 23225-9010

Richmond, VA 23225-4066

Carl M. Bates

Gene E. Gardner

Gerard R. Vetter

P. O. Box 1819

The Merna Law Group

Office of the US Trustee - Region 4 -R

Richmond, VA 23218-1819

621 N. Lynnhaven Road

701 E. Broad Street, Ste. 4304

Virginia Beach, VA 23452-5809

Richmond, VA 23219-1849

Vivian Beatrice Holman

1415 Waldrop Road

Amelia Court House, VA 23002-3316

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Legacy Mortgage Asset Trust 2018-RPL2	(u) Real Time Resolutions, Inc. as agent for C	End of Label Matrix	
		Mailable recipients	24
		Bypassed recipients	2
		Total	26